



MEMORANDUM



Bill 136: Greenbelt Statute Law Amendment Act, 2023

By: Stephanie Fleming

On October 16, 2023, the Minister of Municipal Affairs and Housing, Mr. Paul Calandra, introduced [Bill 136, the Greenbelt Statute Law Amendment Act, 2023](#). It is currently in the second reading stage and has been referred to the Standing Committee on Heritage, Infrastructure and Cultural Policy for comment.

This Bill proposes to amend the *Greenbelt Act, 2005*, the *Oak Ridges Moraine Conservation Act, 2001*, and proposes to enact the *Duffins Rouge Agricultural Preserve Act, 2023* and repeal the *Duffins Rouge Agricultural Preserve Repeal Act, 2022*.

In short, this Bill proposes to revert all the lands removed from the Greenbelt in 2022 and to redesignate said lands as part of the Greenbelt Area.

The vast majority of the proposed Bill severely restricts the legal remedies that an aggrieved party can take in respect of this Bill, the *Greenbelt Act, 2005*, the establishment of a future Greenbelt Plan, or any representations or other conduct by current or former employees, agents, or officers of the Crown or members, current or former, of the Executive Committee related to same. In short, this Bill bars any litigation against the Crown or its officers, employees, or agents, whether current or former, in respect of same, including in cases where a party would usually have recourse under statute or in contract, tort, misfeasance, trust, bad faith, fiduciary obligation, or equitable remedy.

Interestingly, it specifically identifies a particular litigation case between the Crown and Minotar Holdings Inc. and terminates the settlement agreement between the parties. This is quite unusual.

This Bill does not, however, prevent a party from bringing an application for judicial review, but does bar any other proceeding, including enforcing a judgment or order made outside Ontario.

It shall be interesting to see any revisions to this Bill, in particular whether the specific case referred to is removed in future versions. I am going to continue to track changes to this Bill. If you have any questions, please reach out to my contact information below.

Link to the Bill in question: <https://www.ola.org/en/legislative-business/bills/parliament-43/session-1/bill-136>

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